



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

**13**

Application Number 09/917,108

Filing Date 07.27.01

First Named Inventor Pollack, Robert

Art Unit 2142

Examiner Name Reid, C.

Attorney Docket Number 2001KP238PA

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Cover letter and post card receipt also enclosed.	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Kenneth F. Pearce, Attorney at Law		
Signature			
Printed name	Kenneth F. Pearce		
Date	04.09.2005	Reg. No.	33,026

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Kenneth F. Pearce	Date	04.09.2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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UNITED STATES OF AMERICA

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Registered To Practice Before The  
United States Patent And Trademark Office

2142  
W

9 April 2005

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Re: Applicants' Response To The Notice Of Non-Compliant Amendment For  
Application For Letters Patent Entitled -- ***Method Of Aggregating, Classifying,  
Reporting And Cross-Tabbing Data, In Real Time*** --; Serial No. 09/917,108;  
Pollack, R., et al; Filed July 27, 2001; Docket No. 2001KP238PA

Sir:

Enclosed are the following:

- 1) Applicants' Response to the Notice of Non-Compliant Amendment mailed on  
April 4, 2005, including Applicants' Remarks;
- 2) Applicants' claims indicating the changes thereto;
- 3) Form PTO/SB/21; and
- 4) A postcard for you to place your stamp thereon signifying receipt of the above  
identified documentation.

Your attention to these matters is appreciated. Thank you.

Sincerely,

Kenneth F. Pearce

Registration No. 33,026

Ens.



(1)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:	2142	)	
		)	
Serial No.:	09/917,108	)	
		)	
Examiner:	Reid, C.	)	<b>APPLICANTS' RESPONSE</b>
		)	
Inventor:	Pollack, R.	)	<b>TO THE NOTICE OF</b>
		)	
Filed:	07/27/2001	)	<b>NON-COMPLIANT AMENDMENT</b>
		)	
Title:	<i>Method Of Aggregating,</i>	)	
	<i>Classifying, Reporting And</i>	)	
	<i>Cross-Tabbing Data, In</i>	)	
	<i>Real Time</i>	)	

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Hon. Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Non-Compliant Amendment (copy enclosed) mailed on April 4, 2005 and the duplication of claim 9 indicated thereon, Applicants respond as follows:

- 1) Applicants' Response To The First Office Action and the Affidavit under 37 C.F.R. § 1.131 filed on January 31, 2005 are incorporated herein by reference;
- 2) As shown in the accompanying set of claims, Applicants have amended their claims to eliminate the duplication of claims, numbered 9, that were originally filed with the above referenced Application;
- 3) As shown in the accompanying set of claims, Applicants have cancelled originally filed claim 14; and

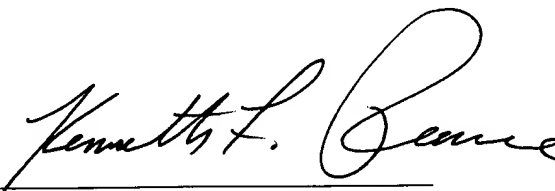
4) As shown in the accompanying set of claims, Applicants have amended the originally filed claims that were numbered 9, 10, 11, 12 and 13 to be claims 10, 11, 12, 13 and 14, respectively.

### CONCLUSION

Applicants' have eliminated the duplication of claims 9 objected to by the Legal Instruments Examiner. In accordance with Patent Office protocol, each claim of the pending Application is consecutively numbered. Applicants' have incorporated by reference the Applicants' Response To The First Office Action and the Affidavit under 37 C.F.R. § 1.131 filed on January 31, 2005. For at least the facts, law and reasons set forth above, all pending claims are in condition for allowance. Applicants request the Examiner reconsider her pending rejections and thereafter withdraw the same. Since Applicants have fully traversed all grounds of objection and rejection set forth in the First Office Action, Applicants believe their Application is in condition for allowance and respectfully request the same in accordance with Title 35 of the United States Code. The Honorable Examiner's action, along these lines, is courteously elicited.

Respectfully submitted,

Robert Pollack, et al., Applicants

By: 

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